



## Précis Paper

### Flexibility & the Workplace

This BenchTV broadcast is Dr Marilyn Krawitz and Jaimee Burke on flexibility in the workplace. This is our shortest broadcast to date. It's less than 5 minutes and worth watching. It reminds us that much of our work as lawyers can be performed remotely. The improvement of conditions and flexibility of time and place will greatly assist many practitioners and their clients.

#### **Discussion Includes**

- Why is flexibility for those who work in law important?
- Are law firms becoming more accepting of working flexibly?
- Can you give examples of the types of flexible opportunities that law firms provide?
- What advice would you give to law firms if they are considering allowing employees to work flexibly?
- Are there any resources that you can recommend for firms that are considering offering flexible work opportunities?

# Précis Paper

## Flexibility & the Workplace

1. In this edition of BenchTV, Dr Marilyn Bromberg-Krawitz (Solicitor and Lecturer) and Jaimee Burke (Solicitor) discuss the topic of flexibility in the workplace and the phenomenon of work creep.

### Flexible Work

2. Flexible work arrangements in law firms involve lawyers working somewhat differently than the standard 40-hour work week. This topic is especially important for women as it is well known that many women choose to leave the workforce a few years after they begin practicing in order to raise families. If workplaces are able to offer flexible options, then they will be able to retain many talented people, particularly women. Moreover, offering flexible work hours can be a great way to recruit talented staff.
3. Recently, it has become more common and accepted for law firms to offer flexible hours to their staff, but there is still much room for improvement as several law firms do not offer anything but full time work or only offer limited flexible work options.

### Options for Flexible Work

4. There many potential options to give flexible work to women in law firms. Some of these options a listed below:
  - a. Part year work - the staff member works for only part of the year e.g. when school is in session and they do not have to take care of their children.
  - b. Job share - involves one job being shared between two people (e.g. one person works for two days and the other person works for three days and together they make up one full time staff member).
  - c. A compressed work week – involves someone working 40 hours a week but over less than 5 days.
  - d. Flexi-time - a staff member works certain core hours every week and they get to choose any hours they work in addition to the core hours.

### Advice to Law Firms Considering Implementation of Flexible Work Options

5. It is important for law firms to discuss the work expectations of each flexible work arrangement with the employee, in order to ensure those expectations are realistic and to prevent disappointment by either side. The firm should also ensure that the staff member

has realistic billable targets. In addition, the employer should be clear about how the employee can be promoted, as a staff member working part time should still be able to be promoted if they do worthy work. Finally, it is beneficial to use technology as much as possible, for example using video conferencing such as Skype if a staff member is unable to attend a meeting at a particular time.

#### Resources Available for Firms Investigating Flexible Work Options

6. The Women Lawyers Association of NSW ([www.womenlawyersnsw.org.au](http://www.womenlawyersnsw.org.au)) and Victorian Women Lawyers ([www.vwlasn.au](http://www.vwlasn.au)) both have great resources on their websites that can be very helpful to an employer or employee in the legal industry considering flexible work options.

#### Work Creep

7. Work Creep refers to a situation where someone is being remunerated for part time work but is actually working far more than they are being paid for (e.g. working the equivalent of 4 days a week but only being paid for 3 days). This can lead to resentment on behalf of the employee and can also potentially cause burn out.

## **BIOGRAPHY**

### Dr Marilyn Bromberg-Krawitz

Senior Lecturer and Lawyer, University of Notre Dame Australia (Fremantle Campus)

Dr Marilyn Krawitz is a Senior Lecturer at The University of Notre Dame Australia (Fremantle Campus) and a practising lawyer. Marilyn was admitted as a lawyer in 2010. She has spoken about her research at Harvard University, The University of Melbourne, the Federal Court of Australia and the Supreme Court of Canada. Marilyn has also been interviewed about her research numerous times of television and radio.

### Jaimee Burke

Lawyer, A R Conolly & Company Lawyers – Sydney

## **BIBLIOGRAPHY**

### Websites

The Women Lawyers Association of NSW: [www.womenlawyersnsw.org.au](http://www.womenlawyersnsw.org.au)

Victorian Women Lawyers: [www.vwlasn.au](http://www.vwlasn.au)